

EXHIBIT F

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE**

SHANE COOK & KARLA CARO,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2116-CV07101
)	
FAMILY MOTORS LLC,)	Division 17
)	
Defendant.)	

**DEFENDANT'S RESPONSES TO PLAINTIFF'S
FIRST SET OF INTERROGATORIES TO DEFENDANT**

COMES NOW defendant, Family Motors LLC, and for its Objections and Responses to Plaintiff's First Set of Interrogatories states as follows:

INTERROGATORIES

REQUEST No. 1. Identify all Persons who assisted in the preparation of Defendant's answers to these Interrogatories.

RESPONSE:

Jason Higgs, Salesperson (can be contacted through counsel)
Antonio Harbin, Member (can be contacted through counsel)

REQUEST No. 2. Identify all persons known to Defendant who have knowledge of the facts stated in the Complaint or Answer filed in this case, which answer should include any non-retained experts, pursuant to Rule 56.01(b)(5).

RESPONSE:

Jason Higgs, Salesperson (can be contacted through counsel)
Antonio Harbin, Member (can be contacted through counsel)
Plaintiffs

REQUEST No. 3. Identify each person whom Defendant expects to call as an expert witness at trial, including such expert's name, address, occupation, place of employment and qualifications to give an opinion, or if such information is available on the expert's curriculum vitae, such curriculum vitae may be attached to the interrogatory answers as a full response to such interrogatory.

RESPONSE

As of the date of these responses, Defendant has not engaged any expert witness to provide testimony in this case. Defendant reserves the right to amend this response at such time as Defendant engages any expert witness(es) to provide testimony in this case.

REQUEST No. 4. Identify the general nature of the subject matter on which each expert is expected to testify, and the expert's hourly deposition fee.

RESPONSE:

See response to Interrogatory Number 3.

REQUEST No. 5. Identify the person(s) from whom Defendant took possession of the white 2016 Pontiac G6 GT sedan, VIN 1G2ZG558264117471 (the “Vehicle”) that is the subject of this suit. (e.g. the name/address and known contact information of the auction company).

RESPONSE:

The Vehicle is a 2006 Pontiac G6 GT sedan, not a 2016. Defendant purchased the Vehicle from IAA St. Louis, 2436 Old Country Inn Drive, Caseyville, Illinois, 62232, (816) 797-0200.

REQUEST No. 6. Identify the “friend” Jason Higgs mentioned in his letter to Plaintiffs’ attorney, dated January 13, 2021, including this “friend’s” name and contact information.

RESPONSE:

Jason Higgs was not referring to a specific person in his correspondence.

REQUEST No. 7. Identify all facts supporting your contention that “Plaintiffs have abandoned the Vehicle at Defendant’s storage lot approximately 264 days since January 13, 2021.”

RESPONSE:

The Plaintiffs have title and all paperwork involved in the sale of the Vehicle. Plaintiffs advised Jason Higgs that the car was disabled. Jason Higgs made arrangements for the Vehicle to be towed to Defendant’s Lot. Plaintiffs agreed that the Vehicle could be towed to Defendant’s Lot.

REQUEST No. 8. Identify all facts supporting your contention that “Plaintiffs still own the Vehicle and have the title in their possession, Defendant is stuck with storing the Vehicle for Plaintiffs at its own cost.”

RESPONSE:

See response to Request No. 7.

REQUEST No. 9. Identify all facts supporting your contention that “Plaintiffs’ Vehicle takes up space in Defendant’s fenced storage lot that could be used for other vehicles and thus deprives Defendant of the value of that space.”

RESPONSE:

Other vehicles can be stored in the fenced storage lot where Plaintiffs’ Vehicle is parked. This deprives Defendant of the value of the use of that space.

REQUEST No. 10. Identify all “benefits” you contend Plaintiffs have received from having the Vehicle on Defendant’s lot.

RESPONSE:

Plaintiffs have had the benefit of their Vehicle occupying space on Defendant’s fenced storage lot.

REQUEST No. 11. Identify the total lot space available to Defendant in Parcel Number 27-940-09-01-00-0-00-000.

RESPONSE:

The approximate size of the total lot space available is one acre.

REQUEST No. 12. Identify the total space used by vehicles on Defendant's lot.

RESPONSE:

Defendant has approximately forty standard sized parking spaces on its lot

REQUEST No. 13. Identify all facts supporting your contention that it is fair and reasonable to charge \$9,240.00 to store a vehicle worth less than \$1,200.00.

RESPONSE:

\$35 per day is a reasonable charge for parking and storage of the Vehicle.

REQUEST No. 14. Identify all facts supporting your contention "Plaintiffs have failed and refused to remove the Vehicle from the premises or pay the reasonable value of storage services despite Defendant's demands."

RESPONSE:

Defendant has requested that the Plaintiffs retrieve the Vehicle from Defendant's physical location and the Plaintiffs have failed and refused to retrieve the Vehicle.

REQUEST No. 15. Identify all facts supporting your contention that "Plaintiffs' acceptance and retention of the benefit of the vehicle storage services provided by Defendant without payment would be inequitable."

RESPONSE:

Although the Defendant has requested that the Plaintiffs retrieve the Vehicle they have failed and refused to do so. It is inequitable to Defendant in that the Vehicle is occupying space that could be used by Defendant for other vehicles.

REQUEST No. 16. Identify all person(s) working at Defendant's place of business (8753 E US 40 Hwy, Kansas City, Missouri 64129) on April 7, 2021, including what times they were present at that location.

RESPONSE:

Rashad Richardson
Antonio Harbin
Jason Higgs
Jeremy Johnson

Defendant is unaware of the exact locations these individuals were at on the day in question. These individuals were present during normal business hours.

REQUEST No. 17. Identify all Interrogatories that have been answered based on personal knowledge instead of reliance on the business records of Defendant.

RESPONSE:

All interrogatory responses are based on personal knowledge.

REQUEST No. 18. Identify all sources of information for answers provided to these Interrogatories other than the answering party's personal knowledge or business records of Defendant.

RESPONSE

Only personal knowledge or business records were the sources of information for the answers provided in these interrogatory responses.

REQUEST No. 19. Identify any bond or insurance agreement under which a third party may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

RESPONSE:

There is no insurance agreement under which a third party may be liable to satisfy all or part of a possible judgment in this case. Defendant does have the dealer's bond required pursuant to Missouri statutes and regulations.

REQUEST No. 20. Identify all communications with H+H Motors Group of Kansas City, MO, during the past three (3) years that have not been reduced to written form and preserved. Communications here include phone calls, meetings and any social media or other electronic communication that has not been or could not have been reasonably preserved.

RESPONSE:

All such communications have been oral and have not been reduced to any written form.

Respectfully Submitted,

VAN OSDOL, PC

By: /s/ Anthony L. Gosserand

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tgosserand@VanOsdolKC.com

ATTORNEYS FOR DEFENDANT FAMILY
MOTORS, LLC

SWORN STATEMENT

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

I, Antonio Harbin, a Member of Family Motors, LLC being of lawful age, being first duly sworn upon oath, state(s):

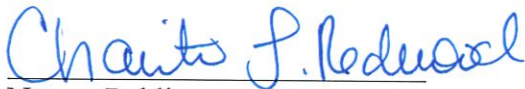
That I have read the above and foregoing Interrogatories, and the answers thereto are true and correct according to the best of my knowledge and belief.

FAMILY MOTORS, LLC

By


Antonio Harbin
Member

Subscribed and sworn to before me this 26th day of April, 2022.


Notary Public

My commission expires 5/20/2023



CHARITO L. REDWOOD
My Commission Expires
May 20, 2023
Clay County
Commission #18337886